

REMARKS

Reconsideration of the application is requested in view of the amendments to the claims and the remarks presented herein.

The claims in the application are claims 1 to 6, 8 and 11, all other claims have been cancelled.

Claims 1 to 8 were rejected under 35 U.S.C. 112, second paragraph as being indefinite. The Examiner objected to the term "residue" and objected to the various deazapurines as being indefinite since it was not clear how they were attached to a ring containing X. The Examiner also objected to X as being indefinite.

Applicants respectfully traverse grounds of rejection since the amended claims are definite. The "residue" has been cancelled and X is defined as being a member of a Markush group of individual elements and is therefor any one of the recited elements and not a combination thereof. Claim 1 has been modified to clearly point out that the structures are defined as on page 17 of the application so that the attachments are clear. Therefore, withdrawal of these grounds of rejection is requested.

All the claims have been rejected under 35 U.S.C. 112, first paragraph as not being based upon an enabling disclosure for the various deazapines, apparently since the specification has no working examples.

Applicants respectfully traverse this ground of rejection since the specification clearly teaches one skilled in the art how to prepare the compounds. The specification has to be specific examples and set forth the structural formulae on page 17 which formulae

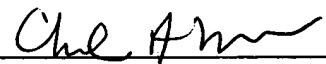
have now been inserted into the claims and the compounds can be prepared by replacing the purine molecule by the corresponding deazapine molecule and there is no scientific reason why the reaction would not take place at the same position in the 3-deazapine, 7-deazapine or 7-deaza-8-azapurine molecule as the purine molecule. Therefore, withdrawal of this ground of rejection is requested.

The Examiner is requested to clarify his objection to the disclosure as there is only one formula III (a) on page 17.

With respect to the obviousness double patenting rejection, Applicants are submitting a terminal disclaimer with respect to U.S. Patent No. 6,743,800 obviating this ground of rejection.

In view of the amendments to the claims and the above remarks, it is believed that the claims point out Applicants' patentable contribution and favorable reconsideration of the application is requested.

Respectfully submitted,
Hedman and Costigan



Charles A. Muserlian #19,683
Attorney for Applicants
Tel. 212 302 8989

CAM:mlp
Enclosures